

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

Plaintiff,

-VS-

NICKLUS COLE SWEET,

Defendant.

Case No. CR-21-129-C

ORDER

Before the Court is the United States’ Motion to Continue Trial, filed July 21, 2021. (Doc. 11). Counsel for Defendant Nicklus Cole Sweet does not object to the Government’s motion. In light of the extenuating circumstances discussed in the Government’s motion to continue, the Court finds the interests of justice are served for a continuance to the Court’s October 2021 trial docket.

Specifically, the Court finds that the best interests of the public and the defendant in a speedy trial are outweighed by need for a continuance for the following reasons: (1) Special Agent Brenden Taylor is an essential witness to the plaintiff's case-in-chief, and will be unable to attend trial on August 10, 2021, and (2) the lab report for the testing of the silencer at issue in Count 2 will not be ready in time for trial.

In making these findings, the Court has considered the factors set forth in 18 U.S.C. § 3161(h)(7)(B) and has concluded that a continuance to the Court's October 2021 trial docket is fully consistent with the statutory policies. Therefore, the period of delay caused by continuing this case shall be excluded for purposes of the Speedy Trial Act.

Accordingly, the Court GRANTS the United States' Motion to Continue Trial (Doc. 11), STRIKES this case from the Court's August 10, 2021 trial setting, and RESETS this case on the Court's October 2021 trial docket.

IT IS SO ORDERED this 22nd day of July 2021.


ROBIN J. CAUTHRON
United States District Judge